

IN THE DRAWINGS

Applicant has supplied a full set of replacement drawings. Applicant respectfully submits that the replacement drawings conform to the requirements set forth in 37 CFR 1.121(d) and 37 CFR 1.84. As such, Applicant respectfully requests reconsideration of the provided drawings.

REMARKS

This responds to the Office Action mailed on November 30, 2005, and the references cited therewith.

No claims are amended, canceled, or added; as a result, claims 21-40 remain pending in this application.

Revocation and Power of Attorney

Applicant filed a Revocation and Power of Attorney with the United States Patent and Trademark Office (USPTO) on April 23, 2004 (copy enclosed). Applicant respectfully requests that the United States Patent and Trademark Office update their records to reflect this change.

§102 Rejection of the Claims

Claims 21-40 were rejected under 35 U.S.C. § 102(e) for anticipation by Sultan (U.S. Patent No. 6,804,657). Applicant respectfully traverses this rejection for the reasons set forth below.

Anticipation requires the disclosure in a single prior art reference of each element of the claims under consideration. *In re Dillon*, 919 F.2d 688, 16 USPQ2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991).

Concerning claims 1, 35, 38, 39, and 40

Applicant cannot find in the cited portions of Sultan any disclosure or description of “receiving first data input that specifies a spending capacity for at least a portion of the organization” as currently recited in claim 1 and similarly recited in claims 35, 38, 39, and 40. Sultan apparently discloses obtaining “original pipeline sales information.” (See Sultan at col. 2, lines 21-23). However, this sales information is not equivalent to a “spending capacity” as required by claims 1, 35, 38, 39, and 40. Thus, because Sultan does not disclose or describe every element of claims 1, 35, 38, 39, and 40, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

Moreover, Applicant cannot find in the cited portions of Sultan any disclosure or description of “in response to receiving the first data input, creating and storing spending

capacity data in a public area” as currently recited in claim 1 and similarly recited in claims 35, 38, 39, and 40. First, the cited portions of Sultan simply do not describe any responsive action. Second, the cited portions of Sultan fail to describe “creating and storing spending capacity data.” Thus, because Sultan does not disclose or describe every element of claims 1, 35, 38, 39, and 40, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

Moreover, Applicant cannot find in the cited portions of Sultan any disclosure or description of “receiving second data input that specifies one or more planned expense allocations for the portion of the organization” as currently recited in claim 1 and similarly recited in claims 35, 38, 39, and 40. Sultan apparently describes transmitting and saving sales forecast information. While the sales forecast information may indicate planned expense allocations of the various clients, it does not represent “planned expense allocations for the portion of the organization” as required by these claims. Thus, because Sultan does not disclose or describe every element of claims 1, 35, 38, 39, and 40, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

Moreover, Applicant cannot find in the cited portions of Sultan any disclosure or description of “in response to receiving the second data input, creating and storing planned expense data in a private area, wherein the planned expense data defines the one or more planned expense allocations based on the second data input” as currently recited in claim 1 and similarly recited in claims 35, 38, 39, and 40. The Office Action cites to FIG. 4 of Sultan to support its assertion that Sultan discloses or describes this element of these claims. However, after reviewing FIG. 4 and the associated text (Sultan col. 12, line 32 to col. 13, line 12), Applicant can only find a general description of a computer system 400 capable of implementing the methods described in Sultan. None of the portions of the cited material disclose a private area, much less “creating and storing planned expense data in the private area” as required by these claims. Thus, because Sultan does not disclose or describe every element of claims 1, 35, 38, 39, and 40, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

Moreover, Applicant cannot find in the cited portions of Sultan any disclosure or description of “determining whether the planned expense data satisfies a criterion that is based on the spending capacity data” as currently recited in claim 1 and similarly recited in claims 35, 38, 39, and 40. The cited portions of Sultan apparently describe displaying and modifying sales

forecast data. Applicant contends that sales forecast data is not equivalent to either “planned expense data” or “spending capacity data.” Furthermore, the modification of the forecast data, as described in Sultan, is apparently based on some *a priori* or other external knowledge of, for example, a supervisor who has particular knowledge of a client account. However, this is not “a criterion that is based on the spending capacity data” of the organization, as required by these claims. Thus, because Sultan does not disclose or describe every element of claims 1, 35, 38, 39, and 40, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

Moreover, Applicant cannot find in the cited portions of Sultan any disclosure or description of “storing the planned expense data in the public area only when the planned expense data satisfies the criterion” as currently recited in claim 1 and similarly recited in claims 35, 38, 39, and 40. As discussed above, Applicant contends that Sultan fails to disclose or describe “planned expense data.” In light of this, storage of this “planned expense data” when it satisfies a criterion is also undisclosed in Sultan. Thus, because Sultan does not disclose or describe every element of claims 1, 35, 38, 39, and 40, Applicant respectfully requests withdrawal of the basis of the rejection of these claims.

Concerning dependent claims 22-30

Dependent claims 22-30 depend on independent claim 21 either directly or indirectly, and accordingly incorporate the features of this independent claim. These dependent claims are accordingly believed to be patentable for the reasons stated herein. For instance, Sultan does not teach or suggest “creating the planned expense data in the private area . . . based on financial activity that is identified from monitoring [an] object that is related to financial activity” as described in the Abstract and claimed in claim 24. Similarly, Sultan does not teach or suggest “updating [a] first data that is stored in a public area to reflect [an allowable request] to modify [a] resource capacity for [a] portion of [an] organization” as described in claim 25. Thus, Applicant respectfully requests withdrawal of the rejection of these claims.

Concerning claim 31

Applicant notes that the Office Action rejected claim 31 by stating that “Sultan teaches a method as claimed in claim 21. Therefore the rationale applied in the rejection of claim 21

applies herein.” (Office Action at page 5, ¶ 4). As a result, Applicant respectfully submits that this rejection has already been successfully traversed in the above discussion. Thus, because Sultan does not disclose or describe every element of claim 31, Applicant respectfully requests withdrawal of the rejection of this claim.

Concerning dependent claims 32-34

Dependent claims 32-34 depend on independent claim 31 either directly or indirectly, and accordingly incorporate the features of this independent claim. These dependent claims are accordingly believed to be patentable for the reasons stated herein. For instance, Sultan fails to teach or suggest “updating [a] second resource capacity for [a] particular sub-organization” based on an allowable request when a “third data exceeds the second resource capacity” as described in claim 32. Thus, Applicant respectfully requests withdrawal of the rejection of these claims.

Concerning claims 36 and 37

As an initial note, the Office Action rejected the claims 21 and 35-40 in one section (see Office Action at page 2, ¶ 3 to page 3, ¶ 6). However, portions of the language in claim 36 are not similar to that of independent claims 21, 35, 38, 39, and 40.

Applicant respectfully submits that the rejection of claim 36 has already been successfully traversed in the discussion above related to claims 21, 35, 38, 39, and 40. In addition, Sultan fails to teach or suggest receiving input specifying revenue forecasts and “based on the overall revenue forecast and a profit and loss model, calculating an overall resource capacity for the business” as described in claim 36. Thus, because Sultan does not disclose or describe every element of claim 36, Applicant respectfully requests withdrawal of the basis of the rejection of this claim.

Dependent claim 37 depends directly on independent claim 36, and accordingly incorporates the features of this independent claim. This dependent claim is accordingly believed to be patentable for at least the reasons stated herein. Thus, Applicant respectfully requests withdrawal of this basis of rejection for this claim.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6909 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date Feb. 28, 2006

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28th day of February, 2006.

PATRICIA A. HULTMAN

Name

Signature

